

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIAGREGORY DOWNS,  
Plaintiff,

v.

CDCR,  
Defendant.

Case No. 20-07234 EJD (PR)

**ORDER OF TRANSFER**

Plaintiff, a state prisoner currently confined at the California Men's Colony (CMC) in San Luis Obispo, filed a pro se civil rights complaint regarding prison conditions, specifically with respect to the prison's handling of prisoners infected with the coronavirus at CMC. Dkt. No. 1. Although Plaintiff names the CDCR as the sole Defendant, his request for relief involves the Chief Medical Officer at CMC, his ADA status, and other medical issues involving surgery. Id. at 2-3. Because the proper defendants for his claims reside in and the acts complained of occurred in San Luis Obispo County, which lies within the venue of the Western Division for the Central District of California, see 28 U.S.C. § 84(c), venue properly lies in that district and not in this one. See 28 U.S.C. § 1391(b). Accordingly, this case is TRANSFERRED to the United States District Court for the Central District of California. See 28 U.S.C. § 1406(a).

1 To the extent that Plaintiff is attempting to challenge a conviction out of Los  
2 Angeles County, he may only do so by filing a federal habeas action under 28 U.S.C. §  
3 2254 in the proper venue. See 28 U.S.C. § 2241(d).

4 The Clerk shall terminate all pending motions and transfer the entire file to the  
5 Western Division for the Central District of California.

6 **IT IS SO ORDERED.**

7 **Dated:** 12/1/2020



EDWARD J. DAVILA  
United States District Judge

United States District Court  
Northern District of California